

FORM 26. Docketing Statement

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July 2020

# UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

## DOCKETING STATEMENT

Case Number: 22-2288Short Case Caption: Apple Inc. v. Corephotonics, Ltd.Filing Party/Entity: Apple Inc.

**Instructions:** Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

Case Origin	Originating Number	Type of Case
PTAB	IPR2020-00489	Inter Partes Review

Relief sought on appeal: ☐ None/Not Applicable

Reversal of PTAB's determination that challenged claims 5 and 6 of U.S. Patent 10,015,408 B2 are not unpatentable; reversal of and evidentiary issues related to the PTAB's denial of Petitioner's request to admit and consider a pertinent U.S. provisional patent application as well as a brief prepared and submitted by the patent owner in connection with a proceeding before the Patent Court of Korea

Relief awarded below (if damages, specify): ☒ None/Not Applicable

Briefly describe the judgment/order appealed from:

Final Written Decision finding that challenged claims 5 and 6 of U.S. Patent 10,015,408 B2 are not unpatentable under 35 U.S.C. § 103; denial of Petitioner's request for rehearing

Nature of judgment (select one):

Date of judgment: 07/27/22 (denying rehearing)  
07/26/21 (FWD)☒ Final Judgment, 28 USC § 1295☐ Rule 54(b)☐ Interlocutory Order (specify type) \_\_\_\_\_☐ Other (explain) \_\_\_\_\_

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Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. ☒ None/Not Applicable

Issues to be raised on appeal: ☐ None/Not Applicable

Whether PTAB erred in finding that challenged claims 5 and 6 of U.S. Patent 10,015,408 B2 are not unpatentable under 35 U.S.C. § 103 and denying Petitioner's request for rehearing

Have there been discussions with other parties relating to settlement of this case?

☒ Yes ☐ No

If "yes," when were the last such discussions?

- ☐ Before the case was filed below  
☒ During the pendency of the case below  
☐ Following the judgment/order appealed from

If "yes," were the settlement discussions mediated? ☒ Yes ☐ No

If they were mediated, by whom?

Hon. Jay Gandhi

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

Explain.

The parties have attempted mediation and to-date have been unable to reach settlement.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

N/A

Date: 10/13/22 Signature: /s/ Debra J. McComas  
 Name: Debra J. McComas